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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

NATIVE VILLAGE OF KIVALINA, et  
al.,

No. C 08-01138 SBA

**ORDER**

Plaintiffs,

v.

EXXONMOBILE CORPORATION, et  
al.,

Defendants.


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On June 4, 2008, based on the number of defendants and the complexity of the issues involved in this matter, the Court approved a protracted stipulated briefing schedule proposed by the parties. *See* Docket No. 126. Pursuant to this schedule, defendants filed the following seven motions on June 30, 2008: Motion to Dismiss Pursuant to 12(b)(6) [Docket No. 134], Motion to Dismiss for Lack of Jurisdiction Pursuant to Federal Rule of Civil Procedure 12(b)(1) [Docket No. 35], Motion to Dismiss for Lack of Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(1) and for Failure to State a Claim Upon Which Relief May Be Granted Pursuant to Fed. R. Civ. P. 12(b)(6) [Docket No. 137], Motion to Dismiss for Lack of Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2) [Docket No. 138], Motion to Dismiss Utility Defendants per Rules 12(b)(1) and 12(b)(6) [Docket No. 139], Motion to Dismiss Civil Conspiracy Claim Per Rules 12(b)(1) and 12(b)(6) by Certain Utility Defendants [Docket No. 140], and Motion to Dismiss the Complaint for Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2) [Docket No. 141]. Pursuant to the protracted schedule, defendants filed replies on November 18, 2008. As a result, when the replies were filed, it appeared on the docket that the motions had been pending disposition without action by the Court for almost five months when, in actuality the motions had not been fully submitted for the Court's consideration. To correct this appearance, and in light of the number of motions and the scope and complexity of the issues involved in this matter, defendants are ORDERED to re-notice all seven motions for hearing, on May 19, 2009, at 1:00 p.m., in Courtroom 3 of the United States Courthouse,

1 1301 Clay Street, 3rd Floor, Oakland, California 94612. Defendants, however, need not re-file any  
2 pleadings.

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4 IT IS SO ORDERED.

5 February 17, 2009

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Saundra Brown Armstrong  
United States District Judge  
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